

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 04-1806

United States of America,

Appellee,

v.

Che Lamar Romero, also known as
Alvaro Vega Valesquez, also known
as Joseph Garcia,

Appellant.

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Appeal from the United States
District Court for the District
of Minnesota.

[UNPUBLISHED]

Submitted: May 10, 2005
Filed: May 17, 2005

Before MURPHY, FAGG, and BENTON, Circuit Judges.

PER CURIAM.

Che Lamar Romero attacks only the reasonableness of his sentence for an attempted carjacking and for being a felon in possession of a firearm. Romero has no quarrel that his base offense level was properly increased because a firearm was used during the attempted carjacking and a victim was abducted to facilitate the offense. He also acknowledges that the district court* correctly determined that his

*The Honorable Ann D. Montgomery, United States District Judge for the District of Minnesota.

sentencing range was 188-235 months. Although the sentence imposed falls within the negotiated sentencing range contemplated by Romero's plea agreement, he contends the district court abused its discretion when it sentenced him at the top of the sentencing range. We disagree. Having carefully reviewed the record and the factors in 18 U.S.C. § 3553(a), we conclude the district court did not abuse its discretion and Romero's 235-month sentence is reasonable.

We note Romero did not raise any argument under United States v. Booker, 125 S. Ct. 738 (2005), and affirm Romero's sentence.
